

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEDRICK DEWAYNE ALTHEIMER,

Plaintiff,

vs.

PIERCE COUNTY, WASHINGTON, and
PIERCE COUNTY SHERIFF EDWARD C.
TROYER (a/k/a/ Ed Troyer), in his individual
and official capacity,

Defendants.

NO. 2:21-cv-01437 RSM

DEFENDANTS' STATUS REPORT

COME NOW Defendants Pierce County, Washington and Edward C. Troyer, by and through their respective attorneys of record, and pursuant to the Court's Order Granting Defendant Troyer's Motion to Stay, hereby advise the Court of the status of Defendant Troyer's parallel criminal case pending in Pierce County District Court.¹

The Parallel Criminal Case. On or about October 19, 2021, the State of Washington charged Defendant Troyer with two gross misdemeanors – False Reporting and Making a False or Misleading Statement to a Public Servant. The State filed the criminal action in Pierce County

¹ Dkt. 18.

District Court where it was assigned Cause No. 1AC002225.² Kitsap County District Court Judge Jeffrey J. Jahns was assigned to preside over the Parallel Criminal Case.

The Parallel Criminal Case was tried to a Pierce County jury between November 30, 2022 and December 13, 2022. On December 14, 2022, the jury returned a verdict of “not guilty” for each of the two counts charged. The Parallel Criminal Case is fully adjudicated.

Joint Status Report and Discovery Plan. On December 8, 2021, the parties filed their Joint Status Report and Discovery Plan.³ Subsequently, the Court granted Defendant Troyer’s Motion to Stay, and this matter has been stayed for more than one year. Given the passage of time, Defendants hereby supplement their Joint Status Report and Discovery Plan to assist the Court in setting trial and pretrial dates. Defendants solicited Plaintiff’s counsel’s trial availability and preferences, did not receive it, and therefore, file the present Status Report to avoid further delay.

6. Proposed Discovery Deadline: Defendants propose January 29, 2024 as the trial date with discovery cutoff 90 days prior to trial.

10. Date of Trial Readiness: Defendants expect to be ready for trial on January 29, 2024.

14. Trial Date Complications:

Defendants’ Counsel’s Current Unavailability is as follows:

- Selby: 1/19 – 1/23/2023, 1/30 – 2/3/2023, 3/1 – 3/6/2023, 3/16 – 3/20/2023, 4/14 – 4/21/2023, 5/17 – 5/24/2023, 6/12 – 7/4/2023, 8/7 – 8/17/2023, 9/11 – 9/22/2023, and 10/30 – 11/16/2023.
- Jackson: 2/21 – 3/9/2023, 4/10 – 4/28/2023, 5/1 – 5/12/2023, 6/5 – 6/23/2023, 7/10 – 7/21/2023, 8/14 – 8/25/2023, 10/11 – 10/25/2023, and 12/4 – 12/15/2023.

² For purposes of this Status Report, Pierce County District Court Cause No. 1AC002225, *State of Washington v. Edward C. Troyer, Jr.*, will be referred to as the “Criminal Case.”

³ Dkt. 14.

DATED this 11th day of January 2023.

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CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below, I caused to be served the foregoing document on the following persons and in the manner listed below:

Susan B. Mindenbergs Law Office of Susan B. Mindenbergs 705 Second Ave., Suite 1050 Seattle, WA 98104-1759	<input checked="" type="checkbox"/> CM/ECF <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile
Vonda M. Sargent The Law Office of Vonda M. Sargent 119 First Ave. S, Suite 500 Seattle, WA 98104-3400	<input checked="" type="checkbox"/> CM/ECF <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile

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- ☒ CM/ECF
☐ Via Legal Messenger
☐ Overnight Courier
☐ Electronically via email
☐ Facsimile

5 DATED this 11th day of January 2023 at Tacoma, Washington.

6
7 s/ Amy Jean Shackelford

8 Amy Jean Shackelford, PP, PLS
9 Legal Assistant to L. Clay Selby and
Eric F. Schacht